

EXHIBIT 3

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,)
Plaintiff,)
vs.) Case No.
UBER TECHNOLOGIES, INC.;) 3:17-cv-000939-WHA
OTTOMOTTO LLC; OTTO TRUCKING,)
INC.,)
Defendants.)
_____)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF KRISTINN GUDJONSSON
Palo Alto, California
Friday, July 28, 2017
Volume I

Reported by:
CARLA SOARES
CSR No. 5908
JOB No. 2665814

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1 BY MR. TAKASHIMA: 11:24:34

2 Q Let me rephrase the question.

3 The purpose of your meeting was to clarify

4 the nature of this investigation request?

5 A Yes. 11:24:42

6 Q Did you discuss any investigation other

7 than a review of those two laptops?

8 A At that meeting, no.

9 Q Did you discuss any review of

10 Mr. Levandowski's e-mail? 11:24:57

11 A Sorry. Can you repeat?

12 Q Did you discuss any review of

13 Mr. Levandowski's e-mail?

14 A No, not at that meeting.

15 Q Did Mr. Levandowski have a separate 11:25:05

16 computer workstation?

17 A He had two laptops and a workstation, yes.

18 Q Okay. Did you discuss any review of his

19 workstation?

20 A I don't remember if that was discussed in 11:25:18

21 the first meeting or subsequent.

22 Q In this meeting, did you discuss why an

23 investigation was being conducted of

24 Mr. Levandowski?

25 MR. BAKER: You can answer that yes or no. 11:25:46

1 THE WITNESS: Yes. 11:25:48

2 BY MR. TAKASHIMA:

3 Q And what's your understanding as to why

4 the investigation was being conducted?

5 A Sorry. Can you repeat? Sorry. I didn't 11:25:55

6 hear everything.

7 Q Sure. I'm happy to restate that.

8 In that meeting, what was your

9 understanding of why the investigation was being

10 conducted regarding Mr. Levandowski? 11:26:08

11 MR. BAKER: And you can answer that

12 generally from the technical standpoint, Kris.

13 THE WITNESS: They had reasonable

14 suspicion that he might have removed intellectual

15 property from the grounds. 11:26:24

16 BY MR. TAKASHIMA:

17 Q What was the basis for that reasonable

18 suspicion?

19 A I do not know.

20 Q Did you ask? 11:26:35

21 A I don't remember.

22 Q Did Mr. Brown ask?

23 A I don't remember.

24 Q Did you discuss a time frame for your

25 investigation? 11:26:51

1 A Time frame of when we were supposed to do 11:26:54
2 it or time frame of --
3 Q Let me clarify that.
4 Did you discuss a time frame of the
5 information that you were going to review as part of 11:27:02
6 your investigation?
7 A As in how far back in time or --
8 Q Yes.
9 A In that initial meeting?
10 Q Yes. 11:27:14
11 A I'm not sure.
12 Q Did you discuss a time frame for your work
13 in that meeting?
14 A Yes. Probably. That would be a typical
15 thing we would ask. 11:27:27
16 Q And what time frame did you agree on?
17 A I don't remember.
18 Q Do you remember approximately?
19 A At least a few months. Couple of months.
20 Three months maybe. I'm not completely sure what we 11:27:44
21 discussed -- what we agreed upon in the meeting, but
22 that is fairly generic, going back two, three
23 months.
24 Q So to the best of your recollection, you
25 would get back to them in about three months? 11:27:58

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1 A Oh, when I would get back to them? 11:27:59

2 Q Yes.

3 A No, that would be just as soon as

4 possible.

5 Q Okay. So what does the three months refer 11:28:04

6 to?

7 A I'm sorry. I thought you were talking

8 about how far back I should be looking at his

9 activity on the machine.

10 Q Okay. So let me go back then. 11:28:12

11 So to the best of your recollection, what

12 you had agreed on is that you would look at the

13 machine and go back about three months?

14 A Two, three months, probably. Yeah.

15 Q [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

19 Q And then did you discuss how soon you

20 would revert to Ms. Bailey with more information? 11:28:36

21 A As quickly as possible.

22 Q When did the meeting take place?

23 A I'm sorry. Did you say "when" or "where"?

24 Q When.

25 A I'm not completely sure. A guess would be 11:28:52

1 end of January, beginning of February. Not sure. 11:28:59

2 Q Was that meeting in person?

3 A Me and Gary were in person, and then they
4 were over VC, over videoconference.

5 Q Where is Ms. Bailey located? 11:29:18

6 A I think she is in the Google X building.

7 Q I'm sorry. You said that some lawyer was
8 involved. Do you recall which lawyer?

9 A No, I don't. Sorry. I'm terrible with
10 names. 11:29:36

11 Q But is it fair to say it was an in-house
12 Google lawyer?

13 A Yes.

14 Q Okay. And I believe you said earlier that
15 they had provided some clarification. Is that 11:30:06
16 Ms. Bailey or the attorney or both?

17 A Probably both, but I don't recall.

18 Q What did you do after the meeting in terms
19 of the investigation?

20 A I started a tracking doc. 11:30:34

21 Q Did you say "a tracking doc"?

22 A I create a -- what we call [REDACTED]

23 [REDACTED]
24 and a subsequent tracking doc.

25 Q Okay. And what information did you put in 11:30:53

1 I, the undersigned, a Certified Shorthand
2 Reporter of the State of California, do hereby
3 certify:

4 That the foregoing proceedings were taken
5 before me at the time and place herein set forth;
6 that any witnesses in the foregoing proceedings,
7 prior to testifying, were administered an oath; that
8 a record of the proceedings was made by me using
9 machine shorthand which was thereafter transcribed
10 under my direction; that the foregoing transcript is
11 a true record of the testimony given.

12 Further, that if the foregoing pertains to
13 the original transcript of a deposition in a Federal
14 Case, before completion of the proceedings, review
15 of the transcript [] was [X] was not requested.

16 I further certify I am neither financially
17 interested in the action nor a relative or employee
18 of any attorney or any party to this action.

19 IN WITNESS WHEREOF, I have this date
20 subscribed my name.

21 Dated: 7/29/2017

22
23 

24 CARLA SOARES

25 CSR No. 5908